

REGULAR MEETING
October 4, 2021

The Independence City Council met for a Regular Meeting, October 4, 2021, at 6:00 p.m., virtually held via Microsoft Teams and in person, in the Council Chambers, 111 E. Maple.

Shirley Murdock, member, Church of Jesus Christ of Latter-Day Saints, provided the invocation followed by the Pledge of Allegiance.

Mayor Eileen Weir, Presiding Officer of the City Council, called the meeting to order. Upon roll call, the following members of the City Council were present: Mike Huff, John Perkins, Brice Stewart, Mike Steinmeyer, Daniel Hobart (virtual) and Mayor Eileen Weir. The following members of the City Council were absent: Karen DeLuccie.

CITIZENS REQUEST TO SPEAK:

Theresa Hoeflicker spoke to Council regarding repealing breed specific legislation.

Colleen Huff spoke to Council regarding Non-Ordinance Action Item No. 2.

April Schule spoke to Council regarding police funding.

Tara Kruse spoke to Council regarding public safety.

Chris Cline spoke to Council regarding ARPA Funding and IPD.

Kenneth Love spoke to Council regarding concerns about upcoming election.

PRESENTATION RESOLUTION:

Councilmembers Huff and Steinmeyer moved to approve Bill No. 21-806.

Bill No. 21-806, entitled, [Res. #6728]

“A RESOLUTION RECOGNIZING HEATHER TUCKER, HUMAN RESOURCES GENERALIST, WITH THE HUMAN RESOURCES DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR OCTOBER 2021.”

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the bill approved.

PROCLAMATIONS:

City Clerk, Becky Behrens, read a proclamation for Fire Prevention Week. The proclamation was accepted Assistant Fire Chief, Mike Ditamore.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Mayor Weir requested that Item No. 2, Item No. 3, Item No. 4, Item No. 5, Item No. 8, Item No. 9 and Bill No. 21-811 be pulled for separate consideration.

Councilmembers Huff and Steinmeyer moved to approve the AMENDED CONSENT AGENDA minus Item No. 2, Item No. 3, Item No. 4, Item No. 5, Item No. 8, Item No. 9 and Bill No. 21-811 to be considered separately.

1. Approval of minutes for the Regular Meetings on September 7, 2021, and September 20, 2021.

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6. Council action is requested to issue a purchase order to Turnkey Mobile, Inc., in the amount of \$66,290.00, for the replacement of the existing Panasonic Toughbook rugged field computers for the Power & Light Department.
7. Council action is requested to authorize the purchase of a Service Body Truck in the amount of \$60,185 for Municipal Services.

Bill No. 21-807, entitled, [Res. #6729]

“A RESOLUTION APPOINTING JANA EVANS TO THE INDEPENDENCE PARK COMMISSION FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment Councilmember John Perkins*

Bill No. 21-808, entitled, [Res. #6730]

“A RESOLUTION REAPPOINTING EDWARD NESBITT TO THE STREET IMPROVEMENT OVERSIGHT COMMITTEE.” – *Individual Appointment Councilmember Mike Steinmeyer*

Bill No. 21-809, entitled, [Res. #6731]

“A RESOLUTION REAPPOINTING MAUREEN KENNEDY THE SUSTAINABILITY COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI.”

Bill No. 21-810, entitled, [Res. #6732]

“A RESOLUTION REAPPOINTING AUSTIN CONLEY TO THE INDEPENDENCE SQUARE ADVISORY BOARD OF THE CITY OF INDEPENDENCE, MISSOURI.”

Upon roll call, the vote to approve the AMENDED CONSENT AGENDA was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the motion carried, and the AMENDED CONSENT AGENDA was approved.

In response to Mayor Weir, City Manager, Zach Walker, provided information about how the selections are made to purchase vehicles and where the funding comes from. Mr. Walker provided information about why the requests for new vehicles are made and how the need is determined and processed. Mr. Walker provided information about how the vehicles will be used. In response to Councilmember Huff asking about the chip issue with vehicles, Mr. Walker stated that there will be a longer lead time due to those issues.

Mayor Weir and Councilmember Huff moved to approve Item No. 2.

2. Council action is requested to issue a purchase order to Shawnee Mission Ford, for the \$ 73,548.00 purchase of (2) Ford F-150 Police Responders for the Police Department.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the item approved.

Mayor Weir and Councilmember Huff moved to approve Item No. 3.

3. Council action is requested to issue a purchase order to Shawnee Mission Ford, for the \$ 124,971.00 purchase of (3) Hybrid Ford Explorers for the Police Department.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the item approved.

Mayor Weir and Councilmember Huff moved to approve Item No. 4. Deputy Police Chief, Ken Jarnagin, confirmed that the Chargers being purchased are all wheel drive.

4. Council action is requested to issue a purchase order to Landmark Dodge, for the \$446,345.25 purchase of (15) 2022 Dodge Police Chargers for the Police Department.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the item approved.

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In response to Mayor Weir, Mr. Walker provided information about how a request is made and how the funding is allocated. In response to Councilmember Huff, Mr. Walker stated that the lead time would be faster than with the vehicles. Deputy Chief Jarnagin provided information about who wears vests and how often they are cycled out.

Mayor Weir and Councilmember Huff moved to approve Item No. 5.

5. Council action is requested to issue a purchase order to Central Lake Armor Express Inc dba Armor Express, for the \$60,000.00 purchase of Body Armor for the Police Department.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the item approved.

In response to Mayor Weir, Mr. Walker provided background information regarding Item No. 8 and the bidding process. In response to Councilmember Huff, Mr. Walker stated that Davenport does street cut repairs and this bid was for annual repairs of resurfacing and chip sealing etc.

Mayor Weir and Councilmember Huff moved to approve Item No. 8.

8. Council action is requested to authorize the City Manager to approve a construction contract with Vance Brothers Inc for an amount not to exceed \$2,504,189.18 authorizing future minor change orders not to exceed \$250,000 and/or time extensions for the Pavement Maintenance Roadway Seals Project. (No. 112201), and waive section 6 of the City's Purchasing policy.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the item approved.

In response to Mayor Weir, Mr. Walker provided an update on the status of the quarry in Sugar Creek and why this item is being requested. Mr. Walker stated that these funds will not be used unless things continue to progress in Sugar Creek with this quarry.

Mayor Weir moved to approve Item No. 2 with no second. Councilmember Huff stated that he had received information that the permit would be pulled for this project after Sugar Creek resident complaints.

Councilmember Huff and Mayor Weir moved to postpone Item No. 9 for two weeks.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the motion approved.

9. Council action is requested to issue a purchase order to Black & Veatch, in the amount of \$100,000.00 for an Evaluation Study for groundwater related to the Atherton Quarry for the Water Department and increase appropriations.

In response to Mayor Weir, Mr. Walker provided information about the amount that is being requested and why it is significantly different from years past.

Mayor Weir and Councilmember Huff moved to approve Bill No. 21-811.

Bill No. 21-811, entitled, [Res. #6733]

“A RESOLUTION AUTHORIZING A CONTRACT WITH THE KANSAS CITY AREA TRANSPORTATION AUTHORITY FOR THE PURPOSE OF PROVIDING TRANSIT SERVICES FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022 IN THE AMOUNT OF \$135,342.00, AND AUTHORIZING FUTURE MINOR CHANGE ORDERS NOT TO EXCEED \$13,500.00.”

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the bill approved.

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NON-ORDINANCE ACTION ITEMS:

1. Council action is requested on a recommendation from the Public Utility Advisory Board for the H5 and H6 Combustion Turbine Generator Repairs for Power & Light. – *Requested by the Public Utilities Advisory Board*

In response to Councilmember Huff, Mr. Walker stated that both repairs had been postponed until December and stated that new timelines were received today that would push those dates into January because of labor shortages. Jim Nail, Director of Power & Light, provided cost information for repairs needed on these units. Mr. Nail provided information about timeline for new generation equipment. Mr. Nail provided information about trailer units. Mr. Nail provided information about repairs being made on J2.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmember DeLuccie. The Mayor declared the item approved.

2. Council action is requested on directing the City Manager to amend the American Recovery Plan funding plan by reducing funding for the Square Streetscaping project and reallocating said funds for police body cameras. – *Requested by Councilmember Brice Stewart.*

In response to Councilmember Stewart, Deputy Chief Jarnagin provided information regarding a memo of priorities sent in April 2021 requesting body cams. Deputy Chief Jarnagin provided information about why body cams are helpful and needed as well as concerns the department has with being able to implement the technology. Councilmember Stewart provided information about surrounding agencies' use of body cams. In response to Councilmember Stewart, Mr. Walker provided background information about asking each department for their priorities for budgeting purposes. Councilmember Stewart stated that passing this item will still leave funds available for the Square Streetscape Project and asked that Council support this item. In response to Mayor Weir, Mr. Walker confirmed that Councilmember Stewart requested this item tonight, the memo from the Police Department was sent in April and the budget was approved in June and this was not included. Councilmember Stewart stated that surrounding cities have found the money to maintain the equipment. Councilmember Steinmeyer shared his feelings about supporting public safety and he is in support of this item.

Councilmembers Steinmeyer and Huff moved to amend Non-Ordinance Action Item No. 2 to include \$540,748 for a regular pumper for the Fire Department.

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Stewart and Steinmeyer. Noes – Councilmembers: Perkins, Hobart and Mayor Weir. Absent – Councilmember DeLuccie. The Mayor declared the motion failed.

Councilmember Hobart provided information about why he is opposed to this item and the next item. Councilmember Hobart stated that asking for ARPA Funds to pay for these items violates the ARPA requirements. In response to Councilmember Hobart, Mr. Walker confirmed that by 2024, without a change in revenue or expenditures, the General Fund balance will be fully depleted and running on a negative balance. Councilmember Hobart discussed his feelings regarding these items. Councilmember Hobart commented on why the Independence Square projects are important. Councilmember Hobart shared his feelings regarding the recent officer that was killed in the line of duty and stated it should not be politicized. At 7:20 p.m. Councilmember Huff left the meeting and remained absent for the remainder of the meeting. Councilmember Steinmeyer shared his feelings about the Council's role in government. Councilmember Steinmeyer stated the people of the third district are communicating their feelings.

Upon roll call for Non-Ordinance Action Item No. 2, the vote was: Ayes – Councilmembers: Stewart and Steinmeyer. Noes – Councilmembers: Perkins, Hobart and Mayor Weir. Absent – Councilmembers: Huff and DeLuccie. The Mayor declared the item failed.

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3. Council action is requested on directing the City Manager to amend the American Rescue Plan funding plan by reducing funding for the Independence Uptown Market Debt Service Loan Repayment and reallocating said funds for Police Department Shot Spotter Technology and Police Virtra De-Escalation Training Simulator. – *Requested by Councilmember Brice Stewart*

In response to Councilmember Stewart, Deputy Chief Jarnagin provided information about the items requested and stated there were concerns with whether the Shot Spotter would be ideal for the sporadic gun crime locations we see in our city.

Councilmembers Stewart and Steinmeyer moved to amend Non-Ordinance Action Item No. 3 to remove the purchase of the Shot Spotter Pilot Program.

In response to Councilmember Perkins, Mr. Walker stated that the funds requested for the Shot Spotter would be put back into the Uptown Market Debt Service Loan Repayment. In response to Mayor Weir, Mr. Walker stated that we will need to recalculate what the annual debt service payment would be. Mr. Walker stated that we could ask the Police Department to refresh their priority list before the next Council meeting.

Mayor Weir and Councilmember Perkins moved to postpone Non-Ordinance Action Item No. 3 until the October 18, 2021 Regular Council Meeting.

Upon roll call to postpone Non-Ordinance Action Item No. 3, the vote was: Ayes – Councilmembers: Perkins, Stewart, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent – Councilmembers: Huff and DeLuccie. The Mayor declared the motion passed.

At 7:32 p.m. Councilmember Steinmeyer left the meeting and remained absent for the remainder of the meeting.

Bill No. 21-812, entitled, [Res #6734]

“A RESOLUTION APPOINTING COUNCILMEMBER DANIEL HOBART TO THE INDEPENDENCE ON A ROLL WORKING GROUP COMMITTEE FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Requested by Councilmember John Perkins*

Upon roll call, the vote was: Ayes – Councilmembers: Perkins, Hobart and Mayor Weir. Noes – Councilmember Stewart. Absent – Councilmembers: Huff, Steinmeyer and DeLuccie. The Mayor declared the bill approved.

FIRST READINGS:

Bill No. 21-068, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT I-1 (INDUSTRIAL) TO DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) FOR 1001 W. HAYWARD AVENUE IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 21-069, entitled

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A BED AND BREAKFAST AT 1 HAWTHORNE PLACE, IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

INFORMATION ONLY:

1. COVID-19 Semi-Monthly Update
Mayor Weir provide vaccination information.

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2. Please Note: In accordance with RSMo 610.021, the City Council may convene in an Executive Session at 5:15 pm, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).

COUNCILMEMBER COMMENTS:

Councilmember Perkins shared feelings about the discussions that took place during the meeting. Councilmember Perkins stated that there are a lot of big issues ahead of this Council and the whole idea is to have the communication even if things get tense.

At 7:39 p.m. Councilmember Stewart left the meeting.

At 7:39 p.m., due to lack of a quorum, the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., October 18, 2021, in the Council Chambers.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk